



300 Cadman Plaza West, 12th Floor
Brooklyn, New York 11201

December 16, 2022

Via ECF

The Honorable Valerie Figueredo
United States Magistrate Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *The Federal Republic of Nigeria v. VR Advisory Services, Ltd., et al.*,
Case No. 1:21-mc-007-JGK-VF (S.D.N.Y.)

Dear Judge Figueredo,

Pursuant to Rule I(a) and Rule II(c) of Your Honor's Individual Practices in Civil Cases, and in relation to this Court's December 12, 2022 order, ECF 77 (the "Order"), granting the VR Respondents' letter motion, ECF 76, the VR Respondents¹ write to notify Your Honor that the VR Respondents have filed a partial objection to Your Honor's order, ECF 74, compelling production of the 35 shareholder-arbitration documents. The VR Respondents have objected only as to the subset of the documents that (1) were produced by P&ID to Nigeria in the English Proceeding on November 11, 2022, (2) were subsequently re-produced by the VR Respondents to Nigeria in this action pursuant to the Parties' November 16, 2022 agreement, and (3) are being actively litigated by Nigeria in the English Proceeding. *See* ECF 79 (the "Objection").

For the avoidance of doubt, the VR Respondents respectfully note that they construe the Order granting the VR Respondents' December 12 letter motion, ECF 77, to have granted the VR Respondents' limited stay request, ECF 76 at 2–3, such that the VR Respondents may withhold their production of the remaining documents until Judge Koeltl rules on the VR Respondents' Objection, and that, if the Objection is overruled, Nigeria will be able to re-open the previously-taken depositions as to the remaining documents. To the extent this interpretation of the Order is incorrect, the VR Respondents respectfully reassert their request for a stay of the Court's Order to compel (*see* ECF 76 at 2-3).

The VR Respondents note that, pursuant to Your Honor's Order (ECF 74), the VR Respondents have produced the subset of shareholder-arbitration documents that were not produced by P&ID, with redactions only for privilege.

Respectfully,

s/ Jeffrey W. Chivers

¹ The VR Respondents are VR Advisory Services, Ltd., VR Advisory Services (USA) LLC, VR Global Onshore Fund, L.P., VR Argentina Recovery Onshore Fund II, L.P., Jeffrey Johnson, and Ashok Raju.

Jeffrey W. Chivers, Esq.

cc: All counsel of record via ECF